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January 13, 2011

ELECTRONICALLY FILED

Honorable William M. Conley
United States District Judge
120 North Henry Street
Madison, Wisconsin 53703

Re: *United States v. Jeremy Visocky*
Case No. 10-cr-152-wmc

Dear Judge Conley:

I am writing, with the concurrence of Assistant United States Attorney Rita Rumbelow, to request that the trial currently scheduled for January 31, 2011 be stricken, to be rescheduled if necessary at a later date. It is the mutual belief of the parties that postponing the trial date will likely avoid the need for a trial at all.

Visocky has filed a motion to suppress evidence in this matter and, on January 11, Magistrate Judge Crocker recommended that the motion be granted. Ms. Rumbelow indicates that the government intends to object to that recommendation, which will then require Your Honor to rule on the motion. If the motion is ultimately granted as recommended by Judge Crocker, there would be no trial. If, on the other hand, you were to deny the motion, then the parties have negotiated a conditional guilty plea, preserving the suppression issue for appeal. Thus, in either case, it is unlikely the case will go to trial.

For these reasons, the parties jointly request that the current trial date be

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stricken, to be reset in the event trial becomes necessary.

Thank you for your time in considering this request. If you require anything further, please do not hesitate to request it.

Sincerely,

/s/ Michael W. Lieberman

Michael W. Lieberman

Supervisory Associate Federal Defender

cc: AUSA Rita Rumbelow
Mr. Jeremy Visocky